

REMARKS

Claims 1 and 5 are pending in this application. Claim 5 is withdrawn from consideration as being drawn to a non-elected Group. However, claim 5 depends from claim 1 and therefore should be included in Group I. Thus, rejoinder of claims 1 and 5 is respectfully requested. By this Amendment, claims 2-3 and 6-11 are cancelled without prejudice to or disclaimer of the subject matter contained therein, and claim 1 is amended. No new matter is added by any of these amendments.

Reconsideration based on the following remarks is respectfully requested.

I. **Claim 1 Satisfies the Requirements under 35 U.S.C. §112, second paragraph**

The Office Action rejects claim 1 under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 1 has been amended to obviate this rejection in view of the Examiner's helpful comments. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

II. **Claim 1 Defines Patentable Subject Matter**

The Office Action rejects claim 1 under 35 U.S.C. §102(e) over U.S. Patent 5,916,469 to Scoles *et al.* (Scoles). The Office Action further rejects claim 1 under 35 U.S.C. §103(a) over Scoles. The Office Action also cites teachings of JP 06-173170-A to Maruyama *et al.* (Maruyama) and U.S. Patent 5,462,623 to Day. These rejections are respectfully traversed.

Scoles, Maruyama and Day, individually or in combination, do not teach or suggest a sandwich structure including, *inter alia*, a core having foam plastic core members formed of a closed-cell foam plastic material, and surface plates formed of a fiber-reinforced composite material covering the opposite surfaces of the core, wherein the foam plastic core members are bonded together on a side of the foam plastic core members facing each other with first adhesive films that do not foam, the surface plates are bonded to the core on sides of the foam plastic core members facing the surface plates with second adhesive films not containing any

carrier or the composite resin of the fiber-reinforced composite material forming the surface plates, and the first adhesive films and the second adhesive films are different adhesive films from each other, as recited in claim 1. The bonding between the foam plastic core members and the bonding between the surface plates and the foam plastic core members are performed separately with distinguishable adhesive films.

Instead, Scoles discloses a foam core used for holding a Z-pin. The foam core of Scoles is not as a structural member, and thus does not anticipate or render obvious the features of Applicants' claim 1. See col. 20, lines 7-17 and Fig. 7 of Scoles.

Additionally, Maruyama discloses an aqueous sizing agent produced by a water-soluble epoxy resin and a penetrant of a fluorinated alkyl compound and/or polysiloxane. See Abstract of Maruyama. Applicants assert that Maruyama has no association with sandwich structures, the foam core, surface plates or adhesive films provided in the claimed features.

Further, Day discloses a reinforce foam panel 35 of alternating sheets of foam boards 40 and fiber glass 42 and laminated together by adhesives. See col. 5, lines 24-56 and Fig. 1 of Day. Applicants assert that Day fails to teach or suggest the foam plastic core members being bonded together on a side where the foam plastic core members face each other with non-foaming adhesive films. Nor does Day teach or suggest bonding the surface plates to the core with non-carrier adhesive films, as provided in Applicants' claimed features.

Also, Applicants assert that the Office Action fails to satisfy *prima facie* cases of anticipation and obviousness using the applied references. There is no motivation shown to modify Scoles or to combine its teachings with those of Maruyama and/or Day. Even assuming that motivation would be established, any such modification or combination would nonetheless fail to teach or suggest all of the features in Applicants' claim 1. These arguments apply by extension to claim 5 by its dependence from claim 1.

For at least these reasons, Applicants respectfully assert that claim 1 is now patentable over the applied references. Dependent claim 5 is likewise patentable over the applied references for at least the reasons discussed as well as for the additional features it recites. Consequently, both claims are in condition for allowance. Thus, Applicants respectfully request that the rejections under 35 U.S.C. §§102 and 103 be withdrawn.

**III. Conclusion**

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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